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February 1, 2022

VIA ECF

Honorable Edward S. Kiel
United States Magistrate Judge for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Eric Biderman

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Re: Ameritas Life Ins. Corp. v. Wilmington Trust, N.A., USDCNJ no. 2:19-cv-18713

Dear Judge Kiel:

As you are aware, we represent non-party Life Equity, LLC (“Life Equity”). On behalf of Life Equity, we write briefly in response to the letter submitted to Your Honor on January 31, 2022 (the “January 31 Letter”) by plaintiff Ameritas Life Insurance Corp. (“Ameritas”) (DE 98). The January 31 Letter accuses Life Equity of disregarding Your Honor’s December 1, 2021 Order in this matter. This is a completely inaccurate accusation by counsel for Ameritas. Since Your Honor’s December 1, 2021, the undersigned counsel has been in communication with counsel with Ameritas. As was communicated to counsel for Ameritas, it has taken Life Equity time to search its records for the materials set forth in Your Honor’s December 1, 2021 Order. This, combined with technical issues and the interceding holidays, delayed Life Equity’s search process for the applicable documents and the undersigned counsel’s review of such documents for privilege prior to production. At the request of counsel for Ameritas, last week, the undersigned counsel provided a date certain by which Life Equity would produce the applicable documents – February 24, 2022. As was explained to counsel for Ameritas, this date was chosen in order to account for the number of documents and any additional technical issues that might be encountered. It is Life Equity’s goal to produce the documents far in advance of this deadline. Counsel for Ameritas did not respond to the undersigned counsel’s email providing a date certain for production. Rather, counsel for Ameritas decided to burden this Court with an inaccurate accusation that Life Equity is disregarding Your Honor’s December 1, 2021 Order. As demonstrated by this letter, the parties are clearly working together and will have the matter resolved by the end of this month. As such, we ask that Your Honor disregard the portion of the January 31 Letter related to Life Equity.

Respectfully Submitted,

/s/Eric Biderman
Eric Biderman

Attorney for Life Equity, LLC